

### REMARKS

The Office Action mailed on February 9, 2009 has been received and reviewed. Claims 1 and 4-26 remain in the case. Claims 1, 4-7, 9-12, 15-17 and 19-24 were rejected under 35 U.S.C. 103(a) as being unpatentable over Testardi (6,249,882), hereinafter simply Testardi. Claims 8, 13, 18 and 25 were rejected under 35 U.S.C. 103(a) as being unpatentable over Testardi in view of Rosenberg (Jonathan B. Rosenberg, "How debuggers work"). Claims 14 and 26 were rejected under 35 U.S.C. 103(a) as being unpatentable over Testardi in view of Frascione (David Frascione, "Debugging kernel modules with user-mode Linux").

### CLAIM OBJECTION

Applicants have amended Claims 4 and 5 to comply with the Examiner's suggestion. Specifically, the Claims have been amended to depend on Claim 1 rather than Claim 3, which was canceled.

### REJECTION OF CLAIMS 1 and 4-26 UNDER 35 U.S.C. 103(a)

With regards to the rejection of independent Claims 1, 9, 15, 19, and 21 under section 103(a), the Examiner asserts that Testardi discloses a function selector configured to enable a user to select a target function and associate a plurality of initialization routines with the target function. Applicants respectfully disagree and assert that Testardi does not explicitly disclose a function selector. Under Testardi, the means by which initialization routines are specified for a target function is by directives embedded in the program source code (Testardi, Claim 1). An explicit function selector is not disclosed. Applicants note the following definition of select from [www.dictionary.com](http://www.dictionary.com):

*se-lect*-verb (used with object)

1. To choose in preference to another or others; pick out.

Applicants assert that the embedded directives of Testardi do not explicitly facilitate picking, choosing, or selecting. For example, under Testardi a user would be required to have prior knowledge of the functions available within the target environment and the names of those

functions. Therefore, Testardi does nothing to enable a user to pick out or choose a target function. In contrast, the claimed function selector that enables a user to “select a target function and associate at least one initialization routine with the target function”.

To clarify the difference between the present invention and the prior art, the Applicants have amended independent Claims 1, 9, 15, 19, and 21 to indicate that the function selector is displayed to the user to enable the user to select a target function and one or more associated initialization routines. Applicants respectfully request that the Examiner enter the clarifying amendments to facilitate prosecution on the merits. Support for the amendments is found in the original specification. For example, paragraph 13 states:

*[0013] In one embodiment, the function selector is compiled into the application source code and is **displayed on the target platform**.*

Applicants assert that because Testardi does not disclose a function selector that is displayed to the user and enables the user to select a target function and associate initialization routines independent, Claims 1, 9, 15, 19, and 21 are in condition for allowance. Similarly, the associated dependant claims are also in condition for allowance.

With regards to the rejection of Claims 8, 13, 14, 18, and 25-26 under section 103(a), the Examiner asserts that the present invention is unpatentable over Testardi in view of Rosenberg and Frascone. The arguments made above concerning the independent claims apply also to these claims.

## CONCLUSION

The present invention enables the use of an arsenal of initialization routines that can be selectively coupled to a target function. A user uses a function selector to select the target function and one or more routines to initialize a target environment. The prior art does not provide an explicit function selector nor a function selector that is displayed to a user to enable selection of a target function and one or more initialization routines. Applicants therefore assert that claims 1 and 4-26 represent novel and non-obvious improvements and respectfully request prompt allowance thereof.

Respectfully submitted,

/Brian C. Kunzler/

Brian C. Kunzler  
Reg. No. 38,527  
Attorney for Applicants

Date: April 2, 2009  
8 East Broadway, Suite 600  
Salt Lake City, UT 84111  
Telephone (801) 994-4646  
Fax (801) 531-1929